

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DOROTHY JEFFRIES,

Plaintiff,

vs.

Civ. No. 22-685 JHR/SCY

DENNIS GARCIA,

Defendant,

ORDER GRANTING PLAINTIFF’S MOTION TO CONTINUE

This matter comes before the Court on Plaintiff’s Motion for Continuance of October 18 Hearing. Doc. 10.¹ Plaintiff filed this lawsuit in state court on July 1, 2022, Doc. 1-1, and Defendant removed it to federal court on September 16, 2022, Doc. 1. Thereafter, the Court entered an Initial Scheduling Order, setting a scheduling conference for November 8, 2022. Doc. 6. In her present motion, Plaintiff requests to continue the hearing² until November 21, 2022 or thereafter because she “requires additional time to consider options for counsel representation, and to brief the selected attorney.” Doc. 10 at 1. Also of note, after the Court set the scheduling conference, Defendant filed a motion for judgment on the pleadings as to all claims in Plaintiff’s complaint. Doc. 7. Defendant requests that the scheduling conference be continued until the motion for judgment on the pleadings is resolved. Docs. 9, 11.

Given Plaintiff’s request for a continuance and the newly-pending motion for judgment

¹ Plaintiff appears to have filed the same motion on the docket twice. *See* Doc. 8, 10.

² Plaintiff requests to continue the “October 18, 2022 hearing.” Doc. 10 at 1. There is currently no hearing set for October 18, 2022, but the parties’ deadline to meet and confer in advance of the November 8 scheduling conference is October 18. The Court assumes that Plaintiff’s motion is referring to the November 8 hearing.

on the pleadings, the Court finds good cause to extend the time to issue the scheduling order pursuant to Federal Rule of Civil Procedure 16(b). Accordingly, Plaintiff's Motion for Continuance (Doc. 10) is GRANTED to the extent that the November 8, 2022 scheduling conference, and all associated deadlines in the Initial Scheduling Order (Doc. 6)³, are vacated. The Court will reset the scheduling conference, and associated deadlines, after the motion for judgment on the pleadings (Doc. 7) is resolved.

Finally, the Court reminds the parties that the deadline to consent to proceed before Magistrate Judge Jerry H. Ritter is October 14, 2022.

IT IS SO ORDERED.



STEVEN C. YARBROUGH
UNITED STATES MAGISTRATE JUDGE

³ This includes the October 18 meet and confer deadline and the October 28 joint status report deadline. *See* Doc. 6.